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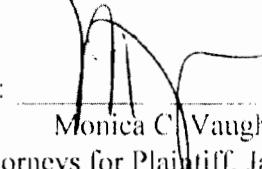
UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

Come now the Plaintiff, JAMES MOORE AND BERTIE MOORE, and Defendants, by and through the undesigned attorneys, pursuant to Federal Rule of Civil Procedure, Rule 41(a), and hereby stipulate to the dismissal of this action **with prejudice** with each side bearing its own attorney's fees and costs.

DATED: 11/24, 2009

HOUSIERE, DURANT & HOUSIERE, LLP

By:

  
Monica C. Vaughan

Attorneys for Plaintiff, James Moore and  
Bertie Moore

DATED: December 8, 2009

DLA PIPER LLP (US)

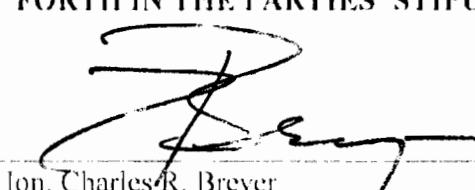
By:

  
Michelle W. Sadowsky

Attorneys for Defendants

PURSUANT TO THE TERMS SET FORTH IN THE PARTIES' STIPULATION,  
IT IS SO ORDERED.

Dated: DEC 11 2009

  
Hon. Charles R. Breyer  
United States District Court